



#4

Docket No. ETH1595

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Murty N. Vyakarnam, et al.
Serial No. : 09/938,364 Art Unit:
Filed : August 8, 2001 Examiner:
For : Foam Composite For The Repair Or Regeneration Of Tissue

Honorable Commissioner for Patents
Washington, D.C. 20231

PETITION FOR ACCEPTANCE OF PHOTOGRAPHS

Dear Sir:

Applicants respectfully petition for the acceptance of the attached:

☒ Black and white photographs to illustrate the present invention. These photographs illustrate the microstructure of the porous tissue scaffolding, which is incapable of being accurately or adequately depicted by India ink.

☒ Color photographs in the present application. Applicants respectfully submit that the color drawings submitted with the attached utility application are necessary to adequately illustrate the present invention for the following reasons:

The color photographs are necessary to illustrate the cellular migration through the inventions gradient foam structure. The color photographs allow for those skilled in the art to fully appreciate the degree and extent of the incorporation of the gradient foams in the claimed tissue healing model described in Example 7.

04/19/2002 AKELLEY 00000003 100750 09938364
01 FC:122 130.00 CH

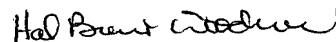
FEES

Applicants respectfully request, if the present petition is granted, that the specification be amended on page 1, line 7 to insert the following language:

"The file of this patent contains at least one drawing executed in color. Copies of this patent with color drawing(s) will be provided by the Patent and Trademark Office upon request;" and

Please charge Johnson & Johnson Deposit Account NO. 10-0750/ETH1595/WKW for submission of this Petition pursuant to 37 CFR§1.17(I). The Commissioner is hereby authorized to charge any additional fees, which may be required or credit any overpayment to Account No. 10-0750/ETH1595/WKW. This sheet is submitted in triplicate.

Respectfully submitted,



H. B. Woodrow
Registration No. 35,501
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
732.524.6201
Dated: November 14, 2001